

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**Land and Buildings Located at 4 Partridge Hill Road,  
Newfields, New Hampshire, with all Appurtenances and  
Improvements thereon, owned by David Russo and  
Lisa Russo, et als.**

**Defendants-in-rem.**

**CIVIL NO. 06-CV-401-JD**

**FINAL ORDER OF FORFEITURE  
AS TO DEFENDANTS IN REM FIREARMS (2) THROUGH (12),  
SEIZED FROM DAVID RUSSO**

1. This action *in rem* was brought on October 26, 2006 by Verified Complaint for Forfeiture in Rem, amended thereafter on November 20, 2006, seeking the forfeiture of the defendants *in rem* firearms (2) though (12), as listed in the Amended Verified Complaint: (2) Kel-Tec, CNC Industries, Inc., Model P-32, .32 caliber pistol, serial number 105804; (3) Ruger, Model GP100, .357 caliber revolver, serial number 170-61057; (4) Ruger, Model P94DC, 9mm caliber pistol, serial number 308-45243; (5) Thompson Center Arms Co., Model Encore, 209x50 Magnum caliber rifle, serial number S8660; (6) Remington Arms Company, Inc., Model 742 Woodsmaster, .30-06 caliber rifle, serial number B7127133; (7) Ithaca Gun Co., Model 37 Deerslayer Featherlite, 12 gauge shotgun, serial number 740204; (8) Ruger, Model M77, .30-06 caliber rifle, serial number 77-92146; (9) Remington Arms Company, Inc., Model 870 Magnum, 12 gauge shotgun, serial number W406845M; (10) Mossberg, Model 500C, 20 gauge shotgun,

serial number J483482; (11) Brescia Armas, Model unknown, unknown caliber rifle, serial number B3105; (12) Ithaca Gun Co., Model unknown, unknown gauge shotgun, serial number 274880, seized from David Russo, based upon alleged violations of 18 U.S.C. § 924(c).

2. The Amended Verified Complaint was served on all known potential claimants, including David Russo, through his counsel, Mark L. Sisti, Esq. Mr. Russo filed his claim on March 23, 2007. There are no other known claimants.

3. The United States and claimant, David Russo, have reached a stipulated settlement agreement which provides for the forfeiture of the defendants *in rem* firearms (2) through (12), seized from David Russo.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

A. That all right, title and interest to the defendants *in rem* firearms (2) through (12), seized from David Russo, are hereby condemned, forfeited and vested in the United States of America pursuant to 18 U.S.C. § 924(d)(1), free from the claims of any other party.

B. That the defendants *in rem* firearms (2) through (12), seized from David Russo, shall be disposed of by the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) in any manner authorized by law, including destruction.

C. That David Russo shall bear his own costs of this proceeding, including attorney's fees, if any.

The Clerk is hereby directed to send two certified copies of this Order to the ATF and two certified copies to United States Attorney's Office, Attention: Assistant U.S. Attorney Robert J. Rabuck.

Dated: August 19, 2008

/s/ Joseph A. DiClerico, Jr.

United States District Court Judge